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MARCUS G. THEODORE, P.C.  
Attorney at Law  
Registered Patent Attorney  
466 South 500 East  
Salt Lake City, Utah 84102  
Fax (801) 359-8995  
Telephone (801) 359-8622

Date: 3/2/05

Please deliver the following pages to:

Commissioner for PatentsAttention: Examiner Robert G. SantosFax Number: 703-872-9306

From: Marcus G. Theodore, Registered Patent Attorney

Number of Pages (including cover): 3RE: Second 37 CFR 1.312 Amendment

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## IN THE UNITED STATES PATENT OFFICE

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MAR 02 2005

Serial No. 10/633,377 :  
Filed: 8/4/2003 :  
Invention: Infant Reflux Mattress Suspense : Art Unit 2632  
System and Bed :  
Inventor: Smart :  
Examiner: Santos, Robert G. :

## SECOND 37 CFR 1.312 AMENDMENT

Commissioner of Patents

Washington, D.C. 20231

Dear Sir:

Responsive to the Notice of Allowability mailed 12/10/04 and the telephonic conference held with the Examiner on March 2, 2005, APPLICANT files this Second 37 CFR 1.312 Amendment to be consistent with the previously entered 37 CFR 1.312 amendments:

In the Claims:

Please amend Claim 4 to read:

4. (amended) An infant reflux suspense system and bed for infants suffering from gastro esophageal reflux disease comprising:
- a. an angled mattress sized to accommodate a sleeping infant with an angle incline of between zero and 30 degrees and firm enough to prevent interference with an infant's breathing when sleeping on its stomach including slots aligned to accommodate
  - b. a pair of laterally adjustable or fixed side posts of a length approximately the height of a reclining infant including structure to attach to the mattress and spaced sufficiently apart to prevent an infant positioned there between from falling down the mattress sideways, and
  - c. a suspense strap attached to the side posts such of sufficient length and width extending downwardly between the posts toward the end of the mattress opposite said elevated end that it passes between an infant's legs to support the infant on the angled mattress such that the side posts and suspension strap allow infant movement during sleep, but prevent the infant from disengaging and falling down the inclined mattress.

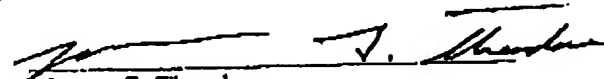
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## REMARKS

The Examiner's courtesy in discussing the above Second 37 CFR 1.312 Amendment to make the claims consistent with the language previously approved for Claim 1 is appreciated. Please enter this SECOND 37 CFR 1.312 AMENDMENT amending Claim 4 to be consistent with the language previously approved by the Examiner to better describe applicant's invention. Applicant therefore specifically requests that Claim 1, twice amended, with the limited inclusion of the above qualifiers, and Claim 4, as amended, to be consistent therewith, be allowed in addition to Claims 2, 3, and 5 through 21 dependent thereon.

If the Examiner's proposes or requires a different amendment, a telephonic conference is requested.

Dated this 2<sup>nd</sup> day of March 2005.

  
Marcus G. Theodore  
Attorney for Applicant  
Reg. No. 26, 815  
466 South 500 East  
Salt Lake City, Utah 84102  
(801) 359-8622

## CERTIFICATE OF MAILING

I certify that I sent by telefacsimile transmittal a true and correct copy of the foregoing Second 37 CFR Amendment to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, postage prepaid, attn: Examiner Robert G. Santos, Fax #703-872-9306 this 2<sup>nd</sup> day of March 2005.

